

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

June 17, 2002

DIVISION THREE

B140921 Donald M. Matthews (Not for Publication)

V.

International Longshoremen's and Warehousemen's Union, Local No. 13

The judgment, including the attorney fee award, and order denying judgment notwithstanding the verdict are reversed with directions to enter judgment for Local 13. Local 13 is entitled to costs on appeal.

Kitching, J.

We concur: Klein, P.J.
Croskey, J.

DIVISION FOUR

B148255 People (Not for Publication)

V.

Michael Thomas Wood

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur: Epstein, J.
Curry, J.

DIVISION FOUR (Continued)

B143109 Stovall (Not for Publication)
v.
Fisher

The judgment (order denying motion to set aside judgment) is reversed. The matter is remanded to the superior court with directions to vacate the December 10, 1999 judgment and set the matter for trial. The parties shall bear their own costs.

Hastings, J.

We concur: Vogel (C.S.), P.J.
Epstein, J.

B156857 People (Not for Publication)
v.
Jesse Julian Lopez

The judgment is affirmed.

Hastings, J.

We concur: Epstein, Acting P.J.
Curry, J.

B147839 People (Not for Publication)
v.
Drew Feldman

For the foregoing reasons, the judgment is modified to award appellant 868 days of presentence custody credits and, as modified, is affirmed. The trial court is directed to prepare and forward to the Department of Corrections an amended abstract of judgment reflecting this modification.

Epstein, Acting P.J.

We concur: Hastings, J.
Curry, J.

DIVISION FIVE

B153890 People (Not for Publication)
v.
Salomon Rodriguez

The judgment is affirmed.

Grignon, J.

We concur: Turner, P.J.
 Armstrong, J.

B144759 Moshe Levi (Not for Publication)
v.
Kenneth Lo

The judgment is modified to vacate paragraphs 5, 10-12, 19, 22-29, and 33; paragraph 6 of the judgment is modified to delete the first clause to read "Cross-defendants, Kenneth Lo, Wild Chang, and Ya Jie Wang shall maintain and repair the 20-foot easement so as to prevent injuries to third persons"; and paragraph 32 is modified to award costs of \$5,899.40. As modified, the judgment as to Lo is affirmed. As modified, the judgment as to Chang and Wang is affirmed, unless within 30 days after issuance of our remittitur Levi serves and files in the superior court a notice of an intention to file an amended cross-complaint. In that event, the judgment is reversed as to Chang and Wang with directions to allow Levi to file an amended cross-complaint. Respondent Moshe Levi is awarded his costs on appeal.

Grignon, J.

We concur: Turner, P.J.
 Mosk, J.

DIVISION FIVE (Continued)

B153309 People (Not for Publication)

V.

Phongsavath Peter Chaleunsouk

The abstract of judgment is ordered corrected to reflect appellant's 556 days of actual presentence custody and to show a sentence of 15-years-to-life with the possibility of parole as to count 2. The clerk of the court is ordered to prepare an amended abstract of judgment reflecting these two corrections and to deliver a copy of the amended abstract to the Department of Corrections. The judgment of conviction is affirmed in all others respects.

Armstrong, J.

We concur: Turner, P.J.

Mosk, J.

B152881 People (Not for Publication)

V.

Tony Earl Dalton

This matter is remanded with directions to the trial court to impose sentence on the forcible oral copulation conviction, and to determine whether to impose that sentence consecutively or concurrently. The judgment of conviction is affirmed in all other respects.

Armstrong, J.

We concur: Turner, P.J.

Mosk, J.

DIVISION FIVE (Continued)

B149365 Associated Aviation Underwriters, Inc. (Not for Publication)
v.
Purex Industries, Inc. etc., et al.

The trial court order entering judgment against appellants on AAU's complaint is reversed. The appeal from the judgment on the fourth cause of action in appellants' cross-complaint is dismissed. The judgment in favor of AAU on the third cause of action in appellants' cross-complaint is affirmed. The judgment in favor of AAU on the first, second, fifth, and sixth causes of action in appellants' cross-complaint, for breach of contract and for declaratory relief, is reversed. Appellants to recover costs on appeal.

Armstrong, J.

We concur: Turner, P.J.
 Mosk, J.

DIVISION SIX

B151855 Moeschlin (Not for Publication)
v.
Bonadeo

The judgment is reversed. We remand the matter to the trial court for an evidentiary hearing on the reasonableness of the parties' use of the roadway easement. Costs on appeal are awarded to appellants.

Coffee, J.

We concur: Yegan, Acting P.J.
Perren, J.

DIVISION SIX (Continued)

B143374 Laursen, et al. (Not for Publication)
 v.
 Somogyi

The judgment is affirmed. Costs to respondent.

Gilbert, P.J.

We concur: Yegan, J.
 Perren, J.

B155459 People (Not for Publication)
 v.
 Mueller

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
 Perren, J.

DIVISION EIGHT

B155093 People (Not for Publication)
 v.
 Terrell

The judgment is affirmed.

Rubin, J.

We concur: Cooper, P.J.
 Boland, J.

DIVISION EIGHT (Continued)

B155460 Gary and Louise T. (Not for Publication)

v.

Jesus P.,

Adoption of Maria L., a Minor

For the reasons set forth above, the order terminating appellant's parental rights and permitting the child's adoption to proceed without his consent is affirmed.

Rubin, J.

We concur: Cooper, P.J.
 Boland, J.